IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE Mr. JUSTICE C.V.RAMULU

WRIT PETITION No.20780 of 1998

Between:

1 D. John S/o. Solmon,
working in St. Joseph boys High School,

Mariapuram, Cuddapah District.
2 S.Prasada Rao S/o. John
working in St. Joseph boys High School,

Mariapuram, Cuddapah District.
3 K. Vijaya Bhaskara Reddy S/o. Linga Reddy
working in St. Joseph boys High School,

Mariapuram, Cuddapah District.

..... PETITIONERS

AND

1 The Regional Director,
School Education, Cuddapah.
2 The District Educational Officer,
Cuddapah.
3 The Director of School Education
A.P. Nampally, Hyderabad.
4 The Secretary, Education Committee R.C.M.Schools,
Mariapuram, Cuddapah 516 003.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus declaring the action of the first Respondent in not granting permission for absorption of the petitioners into the aided posts of B.Ed. Assistants

i.e, Social Studies and Mathematics with effect from 30.4.1995 as illegal, arbitrary, improper and unwarranted and consequently direct the first Respondent to absorb the petitioners as B.Ed. Assistants in Social Studies and Mathematics in the aided posts in the fourth Respondent school with effect from 30.4.1995 with all consequential benefits including monetary, seniority etc. and pass such other order or orders in the interest of justice.

Counsel for the Petitioners: Mr.K.G.KRISHNA MURTHY

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court made the following :

ORAL ORDER:

The issue raised in this Writ Petition is squarely covered by the Judgment dated 16-6-2005 in W.P.No.19898 of 1998.

Following the same, this Writ Petition is disposed of holding that since the petitioners were entitled for being absorbed against aided vacancies, their cases were rightly considered by the authorities with effect from 25-11-1998, though there was some delay. However, the petitioners cannot claim regularization from an anterior date, even if they are entitled otherwise to hold the post as a matter of right. The process of identifying, selection and approval always takes some time. There shall be no order as to costs.

20-6-2005

prk

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Regional Director,
School Education, Cuddapah.
2 The District Educational Officer,
Cuddapah.
3 The Director of School Education
A.P. Nampally, Hyderabad.
4 The Secretary, Education Committee R.C.M.Schools,
Mariapuram, Cuddapah 516 003.

5 2 CCs to Govt.Pleader for School Education, High Court Buildings, Hyderabad (OUT).

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